

Application No. 09/588,728
Attorney Docket No. 024118-00026

REMARKS

Th Office Action dated August 25, 2003 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

By this Amendment, claims 28, 52, 60 and 63 have been further amended to even more clearly particularly point out and distinctly claim the invention. Claim 51 has been canceled and incorporated in its entirety into claims 28, 60 and 63. No new matter has been added. Accordingly, claims 28-50, 52, 56-58 and 60-70 are pending in this application and are submitted for consideration.

Entry of this Amendment is proper under 37 C.F.R. § 1.116 since this Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issue regarding further search and/or consideration since the Amendment amplifies issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally-rejected claims and (d) places the application in better form for appeal, should an appeal be necessary. The Amendment is necessary because it is made in reply to arguments raised in the rejection under 35 U.S.C. §112. In particular, Applicant notes that the U.S. Patent and Trademark Office's Manual of Patent Examining Procedure (MPEP) section 706.07(a) states that "one would reasonably expect that a rejection under 35 U.S.C. § 112 for the reason of incompleteness would be replied to by an amendment supplying the omitted element." Entry of the Amendment is thus respectfully requested.

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The Office Action objected to the drawings under 37 C.F.R. § 1.83(a) for allegedly not demonstrating the disengagement and engagement of the shock absorber (300) by the hood (70) and the shock absorber's mounting in the box.

Applicant respectfully notes that the current Figure 5 clearly shows the disengagement of the shock absorber (300) by the hood (70). "The opening of the hood 70 (and thus of cam 75), according to movement (1) by rotating relative to a y axis would release control rod 80, which then moves due to the action of the return means, not shown, according to a rotating movement (2) along an x axis to which corresponds a rotating movement (3) of chock 90 relative to a z axis, a movement that positions the chock 90 behind the receptacle 30. The thickness and positioning of chock 90 are adapted so that in this position the shock absorption (or spring release shift) movement (M1) in a linear direction along the y axis of the receptacle will be impossible" (Specification, paragraph 104). Thus, the shock absorbers are disengaged.

"The inverse movement raises chock 90, which is then positioned above the receptacle, thus again permitting shock absorption movement (M1)" (Specification, paragraph 106). Thus, closing the hood causes engagement of the shock absorbers. As such, Applicant notes that the necessary structure for engagement of the shock absorbers is clearly shown in the current Figure 5. However, in order to expedite prosecution of this application, Applicant has amended Figure 5 to even more clearly illustrate the movements of that structure for engagement of the shock absorber (300) by the hood (70). As such, Applicant respectfully requests reconsideration and withdrawal of the objection to the drawings.

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The Office Action rejects claims 28-50, 52, 56-58 and 60-70 under 35 U.S.C. § 112, first paragraph, for lack of enablement. Applicant respectfully submits that this rejection is overcome with the above amendments to the claims. Reconsideration and withdrawal of the rejections of claims 28-50, 52, 56-58 and 60-70 under 35 U.S.C. § 112, first paragraph are respectfully requested.

The Office Action rejects claims 28-52, 56-58 and 60-70 under 35 U.S.C. § 112, second paragraph, for containing asserted informalities and for omitting essential elements. Applicant respectfully submits that these rejections are overcome with the above amendments to the claims. Reconsideration and withdrawal of the rejections of claims 28-52, 56-58 and 60-70 under 35 U.S.C. § 112, second paragraph are respectfully requested.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of pending claims 28-50, 52, 56-58 and 60-70, and the prompt issuance of a Notice of Allowability are respectfully solicited. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event this paper is not considered to be timely filed, Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper,

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may be charged to counsel's Deposit Account No. 01-2300, referencing dock t number
024118-00026.

Respectfully submitted,

ARENT FOX PLLC

SIGNATURE ON ORIGINAL

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Enclosures: Notice of Appeal
Petition for Extension of Time (3 months)
Request for Approval of Drawing Corrections
Replacement Sheet for Figure 5